

EXHIBIT B

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A Killing in a Town Where Latinos Sense Hate

By KIRK SEMPLE NOV. 13, 2008

PATCHOGUE, N.Y. — It was an occasional diversion among a certain crowd at Patchogue-Medford High School, students said: Drink a few beers, then go looking for people to mug, whether for money or just for kicks.

Friends of Jeffrey Conroy, a star athlete at the school, say he was known to do it, too. And last Saturday night, after drinking in a park in the Long Island hamlet of Medford, Mr. Conroy, 17, and six other teenagers declared that they were going to attack “a Mexican” and headed to the more ethnically diverse village of Patchogue to hunt, according to friends and the authorities.

They found their target in Marcelo Lucero, a serious-minded, 37-year-old immigrant from a poor village in Ecuador who had lived in the United States for 16 years, mostly in Patchogue, and worked in a dry cleaning store, sending savings home to support his mother, a cancer survivor.

After the boys surrounded, taunted and punched Mr. Lucero, the authorities say, Mr. Conroy plunged a knife into his victim’s chest, fatally wounding him.

The attack has horrified and puzzled many in this comfortable Suffolk County village of 11,700. Prosecutors have labeled it a hate crime and County Executive

Steve Levy called the defendants, who have pleaded not guilty, “white supremacists.” And some immigrant advocates on Long Island have described the attack as a reflection of widespread anti-Latino sentiment and racial intolerance in Suffolk County.

Interviews with business owners, students, government officials and immigrants in the area suggest that illegal immigration has been a wellspring for anger and tension in the neighborhood, with day laborers drawing the greatest fire. Indeed, a number of people — adults and students alike — drew sharp distinctions between assimilated immigrants, who they said should be welcomed as friends and neighbors, and newly arrived illegal immigrants, who they said do not belong.

“No disrespect here, but I’m a firm believer that if you want to come to this country, you should have a job waiting for you,” said the co-owner of the Medford Shooting Range, who gave only his first name, Charlie, and is known by the nickname Charlie Range.

He said he was offended by the behavior of some day laborers — throwing trash in the street, urinating in the bushes, hooting at passing women — and complained that illegal immigrants were crowding rental apartments and swelling the ranks of criminal gangs.

“How do you stop the illegal alien influx?” he wondered aloud. “How do you stop the rain?”

Thousands of immigrants from Latin America have flowed into Long Island in the past two decades, attracted by employment opportunities, particularly in the construction industry, which until recently was booming. Patchogue’s Latino population has risen sharply during this time, village officials say, with Ecuadoreans now being the single largest Latino group.

According to the 2000 census, Latinos were 24 percent of Patchogue’s population, up from 14 percent in 1990, and government officials say the percentage has continued to grow. In just the past five years, the Latino student population of the Patchogue-Medford School District has risen to 24 percent from about 4 percent, said Michael H. Mostow, the district’s superintendent.

Anti-immigrant hostility has led to several highly publicized attacks in recent years in Suffolk County, including the near-death beating of two Mexican day laborers in 2001 and the burning of a Mexican family's house in 2003, both in the nearby town of Farmingville.

Immigrant advocates have accused some local politicians, particularly Mr. Levy, of helping to fuel anti-immigrant sentiment by promoting tough policies against illegal immigration. But Mr. Levy said this week that the attack on Mr. Lucero "wasn't a question of any county policy or legislation; it was a question of bad people doing horrific things."

For all the parsing of motives and rationales in the case, many Latino immigrants here describe Suffolk County as a place where daily life can be a struggle for acceptance in a predominantly white population, particularly in this time of economic crisis. Rocio Ponce, a Brentwood resident and real-estate agent from Ecuador, said that many residents had developed a hatred against recent Latino immigrants "because they think they're coming to take their jobs."

Latinos say the attack against Mr. Lucero, if not his murder, was foretold. Some report being threatened and physically harassed in the streets, with bottles thrown at them and their car windows smashed during the night. Anti-immigrant epithets and racially motivated bullying are common in the hallways of the schools, children say.

"They tell us to go get a green card, 'Go back to your community!'" said Pamela Guncay, 14, an Ecuadorean-American born in the United States.

Many Latinos, particularly those who are here illegally, say they would never report such incidents because they do not trust the police and fear deportation.

"We're here to work, we're not here to do any damage," pleaded César Angamarca, 45, who rents a room in a small house where Mr. Lucero lived. "We're working honorably."

Friends of Mr. Conroy and the other suspects insisted that the defendants were not racist and said they were shocked that a frivolous escapade by bored, drunken teenagers had quickly turned tragic. They pointed out that one of the defendants,

José Pacheco, 17, is the son of an African-American mother and a Puerto Rican father, and that Mr. Conroy counted Latino and black classmates among his closest buddies.

“They were good kids,” said Sean Ruga, 19, who graduated from the high school in 2006 and remained friends with the defendants. “It’s not something I could see them capable of doing.”

Mr. Pacheco’s uncle, Jerry Dumas, said his nephew was with the group because he was looking for a ride home and would not have knowingly joined an attack against a Latino, especially considering his ethnic heritage. He also said that Mr. Pacheco’s parents had themselves been apparent victims of violent racism: When they moved into the Patchogue area in the early 1990s, Mr. Dumas said, their house was burned down twice.

Mr. Conroy was the best known of the defendants and, according to prosecutors, the leader of the group. He was on the school’s lacrosse and wrestling teams, according to his friends, and his lawyer, William J. Keahon, said he had received “a number” of offers of college athletic scholarships.

Jeffrey Francis, 18, who is black, said Mr. Conroy befriended him soon after he transferred into the school this fall. They were on the wrestling team together, he said.

Acquaintances of the defendants said it was not unusual for groups of students from the high school to go out looking for people to mug. “It was just for fun, or for money,” said Taylor Fallica, 15, a student at the high school who said he was a friend of Mr. Conroy and the other defendants.

A friend who said he had been hanging out with the seven defendants in the park that night said there had not been much in the way of a plan before the group set out.

“We were just chilling, having a few beers,” said the friend, who requested anonymity because he had also been interviewed by the police and feared making contradictory statements.

Toward midnight, he recalled, “they said they were going to go jump a Mexican,” and they left.

Mr. Lucero had come to the United States to help support his family in Gualaceo, Ecuador, said his brother, Joselo, 34, in an interview this week in Patchogue, where he lives. Their father had died when they were young and Marcelo assumed the role of father figure in the family, Joselo said.

Marcelo Lucero was a hard worker and had little social life, according to his brother and a resident in a house where he rented a room. When Joselo joined Marcelo in Patchogue in the mid-1990s, the older brother frequently counseled him on how to take care of himself and be safe.

“He was a like a protector,” Joselo recalled. “He told me: ‘You have to be a man here. There’s no mom here anymore.’”

As the mob descended, Mr. Lucero’s friend managed to escape and contact the police, who rounded up the suspects minutes later.

Mr. Conroy was charged with first-degree manslaughter as a hate crime and first-degree gang assault; the others were charged with first-degree gang assault. They were arraigned on Monday and the case was sent to a grand jury, which began reviewing evidence on Thursday, according to a spokesman for the Suffolk County district attorney’s office.

Joselo Lucero said his priorities were now to get his brother’s body back to Ecuador for burial and to ensure that justice was served. But he said he felt no bitterness or vengefulness toward his brother’s attackers.

“I don’t really feel hate,” he said.

“I feel sorry for the families, in some way, because they have to be responsible for their kids.”

Since Mr. Lucero’s death, local officials have almost universally played down any suggestion that ethnic and racial tension had been prevalent in the community. Nonetheless, local, county and state officials have responded to the killing with

various plans, including the introduction of sensitivity task forces, outreach programs in the Latino community and community forums.

“It is imperative that we bridge the divide,” Patchogue’s mayor, Paul V. Pontieri Jr., said on Thursday, “and realize that the things we have in common far outnumber those that divide us.”

Correction: November 15, 2008

An article on Friday about fear and anger in Patchogue, N.Y., after the stabbing death of an Ecuadorean immigrant in what prosecutors have called a hate crime, referred incorrectly to Jeffrey Conroy, 17, a high school athlete who has been arrested in the case. He has not been offered a lacrosse scholarship to the University of Maryland, as several of his classmates reported. (His lawyer, William J. Keahon, said on Friday that Mr. Conroy had been offered athletic scholarships to other colleges.)

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